

### **In the Drawings**

The attached drawing sheets include amendments to FIGS. 1 and 8 and replace the corresponding drawing sheets of the Application. In original FIGS. 1 and 8, the first portion 38a and the second portion 38b of electrical cord 38 are misidentified. FIGS. 1 and 8 have been amended such that the first portion 38a of the cord 38 connects to the holder 18 and the second portion 38b connects to the hair dryer 14. In addition, FIG. 1 has been amended to correctly identify the base 42a and the knob 42b of the cord hanging member 42 on the left side of the sheet. These amendments bring the drawings in conformance with the specification.

Attachment: Replacement Drawing Sheets including amended FIGS. 1 and 8.

### **REMARKS**

This Response and Amendment is filed in response to the Office Action dated September 17, 2004.

Claims 1-20 are pending in this application. In the Office Action, claim 7 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claim 7 to overcome this rejection. Claims 1-6, 8, 11-13, 16, and 17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,592,091 (Michaels), claims 9, 10, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Michaels, claims 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,590,475 (Andis), and claim 7 is also rejected under 35 U.S.C. § 103(a) as being unpatentable over Andis as applied to claim 18, and further in view of U.S. Patent No. 6,588,052 (Iversen). In this response, Application has also amended claims 1, 6 and 8.

Michaels does not teach each and every claim limitation of at least independent claims 1 and 8. Claim 1 recites a hang-up hair dryer assembly including a hand-held hair dryer and a housing adapted for mounting to a supporting surface. The hair dryer assembly also includes a cord hanger connected to the housing with the cord hanger extending outwardly from sides of the housing and supporting a portion of the cord when the hand-held hair dryer is not in operation.

Michaels teaches a hair-dryer holder that includes a flat back 1 for mounting to a support surface and receptacle 2 for storing a hair-dryer. A cord support or hook 5 extends across a front, lower surface of receptacle 2 and defines a cavity 8 for receiving an electrical cord attached to the hair dryer, as shown in Figures 1-3 and 6-7. Hook 5 extends outwardly from a front surface of the holder.

Michaels does not teach, suggest or disclose a hook or cord hanger that extends outwardly from sides of the housing to support an electrical cord of the hair dryer. Thereby, Michaels does not teach at least one limitation of independent claim 1 and the rejection to claim 1 should be withdrawn. Further, claims 2-6, which are rejected as being anticipated by Michaels, depend from claim 1 and are allowable as well for these and other reasons.

Claim 8 recites a hand-held hair dryer and holder assembly comprising a hand-held hair dryer and a holder adapted for mounting to a supporting surface. The hair dryer and holder assembly also includes a cord hanging member connected to the holder and extending outwardly from sides of the holder. The cord hanging member is adapted to support a portion of a third portion of the cord when the hand-held hair dryer is not in operation.

As discussed above with respect to claim 1, Michaels does not teach, suggest or disclose a hook or cord hanging member that extends outwardly from sides of the holder to support an electrical cord of a hair dryer. Thereby, Michaels does not teach at least one limitation of independent claim 8 and the rejection to claim 8 should be withdrawn. Further, claims 11-13, 16, and 17, which are rejected as being anticipated by Michaels, depend from claim 8 and are allowable as well for these and other reasons.

The rejection to claims 9, 10, and 15 under 35 U.S.C. § 103(a) as being obvious and unpatentable in view of Michaels should be withdrawn. Claims 9, 10, and 15 depend from allowable claim 8 and are therefore allowable as well for these and other reasons.

The rejection to claims 18-20 under 35 U.S.C. § 103(a) as being obvious and unpatentable in view of Andis should be withdrawn because a *prima facie* case of obviousness has not been established. Andis does not teach or suggest all the claim limitations of at least independent claim 18.

Claim 18 recites a method of storing a hand-held hair dryer when the hand-held hair dryer is not in use. The method includes providing a hand-held hair dryer and a housing sized to releasably receive at least a portion of the hand-held hair dryer to provide a location for storing the hand-held hair dryer when the hand-held hair dryer is not in operation. The method also includes releasably securing the hand-held hair dryer in the housing and releasably supporting a portion of the electrical cord on the cord hanger when the hand-held dryer is not in operation to limit an amount of unsupported cord hanging from the hand-held hair dryer.

Andis discloses a hand held appliance assembly 11 includes a holder 17 and a hair dryer 23 having an electrical cord 39 attached thereto. The holder 17 is mounted or fixed on a supporting surface and the hair dryer 23 is removably receivable in the holder 17, as shown in Figs. 1 and 2. [Col. 2, lines 48-61]. As shown in Fig. 5, the holder 17 is preferably molded in one-piece from a plastic material and includes a peripheral base portion 51 that terminates in a rear edge 53 lying in a rear plane 55. A bottom wall part 57 of the base portion 51 includes a pair of forwardly extending and laterally spaced slots 61 and 63 (shown in Figs. 5 and 6) which open rearwardly at the rear edge 53 of the base portion 51. Slots 61 and 63 allow passage of the electrical cord 39 of the hair dryer 23 to afford regulation and adjustment of the amount of cord length that extends from the hair dryer 23, which is further shown by Figs. 1 and 2. [Col. 3, lines 35-48]. The electrical cord 39 connects to the hair dryer 23 and then passes through slot 63, base portion 51 (shown in Fig. 5), and slot 61 to terminate at a plug. As shown in Fig. 5, when holder 17 is fixed to a supporting surface, slots 61 and 63 are sealed to prevent release of the electrical cord 39 from the base portion 51.

Andis does not teach or suggest releasably supporting a portion of an electrical cord of a hand-held hair dryer on a cord hanger when the hair dryer is not in operation to limit an amount of unsupported cord hanging from the hair dryer as required by claim 18. Andis teaches supporting the electrical cord of the hair dryer in the base portion of the holder without permitting release of the electrical cord. Because the holder is fixed to a supporting surface, the slots are sealed to prevent release of the electrical cord. Therefore, the appliance assembly of Andis does not releasably support a portion of the electrical cord.

A *prima facie* case of obviousness has not been established because Andis does teach or suggest all the claim limitations required by at least independent claim 18. Specifically, Andis does not teach or suggest releasably supporting a portion of an electrical cord of a hand-held hair dryer on a cord hanger when the hair dryer is not in operation to limit an amount of unsupported cord hanging from the hair dryer. Therefore, independent claim 18 is patentable over Andis. Further, claims 19-20 depend from allowable claim 18, and are therefore allowable as well for these and other reasons.

Claim 7 depends from claim 1 and was rejected as being unpatentable over Andis as applied to claim 18. As discussed above claims 1 and 18 are allowable, and therefore claim 7 is allowable as well for these and other reasons.

In view of the amendments presented herein, Applicant believes that the claims as filed are in condition for allowance and respectfully requests a timely Notice of Allowance be issued for this case. Applicant kindly requests that the Examiner telephone the attorney of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



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